

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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JOSEPH PEREZ,

Plaintiff,

v.

CHARLES DANIELS, *et al.*

Defendants.

Case No. 2:21-cv-02059-GMN-EJY

ORDER

On October 19, 2022, the Court entered an Order requiring the Attorney General's Office (the "AG") to file a status report identifying, if possible, four named Defendants, and stating whether service would be accepted on behalf of these Defendants. ECF No. 19.¹ Last known addresses for defendant the AG could not represent were to be filed under seal. *Id.*

On November 9, 2022, the AG responded to the Court's order providing complete names for all four Defendants as well as their last known addresses. ECF Nos. 20, 21. On December 7 and 20, 2022, the AG filed a Joinder to Defendants' Answer to Complaint with Jury Demand on behalf of two previously unrepresented Defendants. ECF Nos. 25, 26. Two Defendants remain unserved in this matter—Toni McGee and Jacqueline Jones.

Accordingly, IT IS HEREBY ORDERED that the U.S. Marshal's Service must attempt service on Defendants Toni McGee and Jacqueline Jones.

IT IS HEREBY FURTHER ORDERED that the Clerk of Court **must** issue summonses for Defendants Toni McGee and Jacqueline Jones and deliver the same to the U.S. Marshal for service together with two copies of each of the following documents: (1) this Order, (2) Plaintiff's Amended Complaint (ECF No. 6), (3) the Court's Screening Order at ECF No. 10, and (4) the addresses for Toni McGee and Jacqueline Jones filed under seal at ECF No. 21.

¹ The four Defendants include: (1) Arhynard, identified as an "RTRN"; (2) Malo, identified as a "CNII"; (3) Jackie, identified as a "Pill call nurse"; and (4) Jones, identified as an "RN." *Id.*

1 IT IS FURTHER ORDERED that the Clerk of Court **must** send Plaintiff two USM-285
2 forms together with a copy of this Order and **Plaintiff must** complete the forms to the best of his
3 ability and return the completed forms to the Clerk's Office by mail no later than **May 31, 2023**.

4 IT IS FURTHER ORDERED that upon receipt of the completed USM-285 forms in the
5 Clerk's Office, the Clerk of Court **must** file the forms **under seal**, record the same on the docket,
6 and deliver a copy of the completed forms to the U.S. Marshal **within one Court day of receipt**.

7 IT IS FURTHER ORDERED that the U.S. Marshal Service **shall** attempt to effect service of
8 the summonses, Plaintiff's Amended Complaint, and the Court's Screening Order on Defendants
9 Toni McGee and Jacqueline Jones no later than **fifteen days** after receipt of the completed USM-
10 285.

11 IT IS FURTHER ORDERED that the Clerk of Court **must** substitute Defendant Arianna
12 Rhynard for Defendant Arhynard; Defendant Maria Lourdes Blanco for Defendant Malo; Defendant
13 Toni McGee for Defendant Jackie; and Defendant Jacqueline Jones for Defendant Jones.

14 IT IS FURTHER ORDERED that if Plaintiff fails to comply with this Order, Plaintiff's
15 claims against Defendants Toni McGee and Jacqueline Jones may be subject to dismissal for failure
16 to complete service of process pursuant to Fed. R. Civ. P. 4(m).

17 DATED this 27th day of April, 2023.

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19 ELAYNA J. YOUCHAH
20 UNITED STATES MAGISTRATE JUDGE
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